

## REMARKS

In accordance with the foregoing, the abstract is replaced, the specification and claims 1, 2, 5, 18, and 19 are amended. No new matter is being presented, and approval and entry of the replacement abstract, amended specification and amended claims are respectfully requested.

Claims 1-26 are pending and under consideration.

### ITEM 3: OBJECTION TO THE DRAWINGS

The Examiner objects to the drawings under 37 CFR 1.83(a) and that:

the "apparatus [claimed as distinct from the recording medium] having (1) medium-specific information and comprising (2) a user-use area ... (3) and a secure area ... managing information of a recording medium ... " . . . (claims 18-26) . . . Fig. 4 #41, Fig. 8 #51, Fig. 10 #61 & Fig. 13 #71 show an apparatus coupled to a *recording medium* having the above claimed features.

(Action at page 2).

Independent claim 18 is amended herein to recite that, as shown, for example, in FIGs. 4, 8, 10, and 13, an "information management apparatus managing information of a recording medium, the recording medium having medium-specific information, and comprising a user-use area allowing writing and reading out of any information in accordance with external instructions and a secure area that is not subject to control by external instructions. . . "

Withdrawal of the objection to the drawings is requested.

### ITEM 4: OBJECTION TO THE SPECIFICATION-ABSTRACT

The Examiner objects to the abstract language. (Action at pages 2-3). A replacement Abstract is provided herein and withdrawal of the objection to the abstract is requested.

### ITEM 5: OBJECTION TO THE SPECIFICATION

The Examiner objects to the specification because of informalities. (Action at page 3).

The specification is amended herein as suggested by the Examiner and withdrawal of the objection to the specification is requested.

### ITEM 6: OBJECTION TO CLAIM 5 UNDER 37 CFR 1.75(c)

The Examiner objects to claim 5 under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. (Action at page 3).

Claim 5 is amended herein and withdrawal of the objection to claim 5 is requested.

**ITEMS 7-8 REJECTION OF CLAIMS 18-26 UNDER 35 U.S.C. §112, FIRST PARAGRAPH**

The Examiner rejects independent claim 18 (and claims 19-26 dependent thereon) under 35 U.S.C. §112, first paragraph contending the claims fail to comply with the enablement requirement, and that "paragraphs on pages 8-9 are worded in a similar fashion." (Action at page 4).

Claim 18 is amended herein to recite that "an information management apparatus managing information of a recording medium, the recording medium having medium-specific information, and comprising a user-use area allowing writing and reading out of any information in accordance with external instructions and a secure area that is not subject to control by external instructions. . . "

The paragraph beginning at line 16 pages 8-9 is also amended to correct the informality.

Applicants submit that claims 18-26 comply with 35 U.S.C. §112 and withdrawal of the rejection to claims 18-26 is requested.

**ITEM 10 REJECTION OF CLAIMS 1-17 UNDER 35 U.S.C. 112, SECOND PARAGRAPH**

Applicants respectfully point out to the Examiner that Item 10 includes sections c), d), e), and f) on pages 4-5 of the present Office Action, and that sections a) and b) are not listed.

Applicants response to the present Office Action assumes that this is a typographical error, and fully responds to item 10, i.e., item 10 c), d), e), and f).

In item 10c) the Examiner rejects independent claim 1 (and claims 2-17 as dependent thereon) as lacking "clear and distinct active method steps." (Action at page 5). Independent claim 1 is amended herein and withdrawal of the rejection to claims 1-17 is requested.

In item 10d) the Examiner rejects claim 2 (and claims 3-6 and 16 dependent thereon) as having insufficient antecedent basis for the term "system." (Action at page 5). Claim 2 is amended to replace the term "system" with the term --method--and withdrawal of the rejection to claims 2-6 and 15 is requested.

In item 10e) the Examiner rejects independent claim 18 (and claims 19-26 dependent thereon) as indefinite. (Action at page 5). Applicants submit that claim 18 as amended herein is definite, and withdrawal of the rejection to claims 18-26 is requested.

In item 10f), the Examiner rejects claims 19-20 because of insufficient antecedent basis for the term "the encrypted license information." Claim 19 is amended herein and withdrawal of the rejection to claims 19-20 is requested.

According to aspects of the present invention, a method is provided to process license information in such a manner as make unauthorized use difficult. According to aspects of the

present invention, the license information is encrypted with a key based on the medium-specific information and taken outside the system.

Thus, the license information, which is taken outside the system, is used as backup data. The encrypted license information that is stored in an area where a user can easily access such information is encrypted. The encryption is with a key based on medium-specific information and therefore, an unauthorized use is difficult. When the license information stored in an area where it is not subject to control by external instructions is lost and needs to be recovered, by inputting the backup data into the system, it can be decrypted using a key based on the medium-specific information in the system and restored in the predetermined area of the system.

**ITEMS 11-12: REJECTION OF INDEPENDENT CLAIM 1 (AND DEPENDENT CLAIMS 2 AND 11) UNDER 35 U.S.C. 102(b) AS BEING ANTICIPATED BY HASEBE ET AL. (U.S.P. 5,392,351)**

The Examiner rejects independent claim 1 (and dependent claims 2 and 11) under 35 U.S.C. 102(b) as being anticipated by Hasebe.

Independent claim 1 recites "an information management method, comprising encrypting predetermined information that is stored in a predetermined area of a recording medium using said medium-specific information or a key generated therefrom; and deriving said encrypted predetermined information outside said predetermined area."

According to aspects of the present invention, a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information. In such a configuration, when the license information stored in a recording medium is damaged for any reason, a content can no longer be used and therefore, the license information needs to be restored.

According to aspects of the present invention, information, i.e., license information is taken outside the system and used as backup data. The encrypted license information that is stored in an area where a user can easily access such information, is encrypted. The encryption is with a key based on medium-specific information and therefore, an unauthorized use is difficult. When the license information stored in an area where it is not subject to control by external instructions is lost and needs to be recovered, by inputting the backup data into the system, it can be decrypted using a key based on the medium-specific information in the system and restored in the predetermined area of the system.

While Hasebe does teach that a key is used for decrypting contents that are encrypted using an individual key, Hasebe does not teach a method of restoration of "deriving said encrypted predetermined information outside said predetermined area," i.e., a method to restore license information. Since the license information as taught by Hasebe is stored in an

area of a recording medium that is not subject to control by external instructions, the license information is able to read/write only inside the system. Thus, Hasebe teaches rather that while the license information is read out, the decryption is with a key based on medium-specific information in a system; a content use key is generated in a system; and a content is decrypted in a system, and not outside a predetermined area.

### **Conclusion**

Since features of independent claim 1 and dependent claims 2 and 11 are not taught by Hasebe, the rejection should be withdrawn and claims 1, 2, and 11 allowed.

**ITEM 14: REJECTION OF DEPENDENT CLAIMS 9 AND 13 UNDER 35 U.S.C. 103(a) AS UNPATENTABLE OVER HASEBE IN VIEW OF SHEAR ET AL. (U.S. PUB. 2001/0042043)**

**ITEM 15: REJECTION OF DEPENDENT CLAIMS 12 AND 15 UNDER 35 U.S.C. 103(a) AS UNPATENTABLE OVER HASEBE IN VIEW OF LANG (U.S.P. 5,191,611).**

**ITEM 16: REJECTION OF DEPENDENT CLAIMS 8, 10, 14, 16, and 17 UNDER 35 U.S.C. 103(a) AS UNPATENTABLE OVER HASEBE IN VIEW OF SHEAR AND LANG**

The Examiner rejects dependent claims 9 and 13 under 35 U.S.C. 103(a) as unpatentable over Hasebe in view of Shear, rejects dependent claims 12 and 15 under 35 U.S.C. 103(a) as unpatentable over Hasebe in view of Lang, and rejects dependent claims dependent claims 8, 10, 14, 16, and 17 under 35 U.S.C. 103(a) as unpatentable over Hasebe in view of Shear and Lang. The rejections are traversed.

Hasebe teaches that a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system.

Lang teaches a method of granting access to information stored in a storage medium or media utilizing information that is physically stored in the medium. Access is granted to storage media or a portion thereof based upon an access/information management control device such as an index table included directly on the storage media. (See, for example, col. 5 starting at line 50).

Shear teaches a storage medium carrying key block decryption keys in a portion of the storage medium not normally accessible through typical access and/or copying (See, for example, paragraph 80).

Hasebe in view of Lang teaches a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system and granting access to information stored in a storage medium or media utilizing information physically stored in the medium.

Hasebe in view of Shear teaches that a key is used for decrypting contents that are

encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system and storage medium carrying key block decryption keys in a portion of the storage medium are not normally accessible through typical access and/or copying.

Hasebe in view of Lang and Shear teaches a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system and granting access to information stored in a storage medium or media utilizing information physically stored in the medium. storage medium carrying key block decryption keys in a portion of the storage medium not normally accessible through typical access and/or copying.

Hasebe does not teach a method of restoration of "deriving said encrypted predetermined information outside said predetermined area."

Dependent claims 8 and 10 recite "encrypted predetermined information stored in said second area is decrypted." Dependent claim 9 recites wherein, "when said predetermined information is to be derived outside said first area." Dependent claim 12 recites an information management method wherein encrypted predetermined information "stored in said second recording medium is decrypted."

Dependent claim 13 recites an information management "when said predetermined information is to be derived on said second recording medium." Dependent claim 14 recites "encrypted predetermined information stored in second recording medium is decrypted ."

None of the cited art, alone or in combination, teach features of "deriving encrypted predetermined information outside a predetermined area."

### **Conclusion**

Since features recited by dependent claims 8-10, and 12-17 are not taught by the cited art alone or in combination and *prima facie* obviousness is not established, the rejection should be withdrawn and dependent claims 12-15 claims 8-10, and 12-17 allowed.

### **ITEM 14: REJECTION OF INDEPENDENT CLAIM 18 (AND CLAIMS, 19, 21, 23 & 25 DEPENDENT THEREON) UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER HASEBE IN VIEW OF SHEAR**

### **ITEM 16: REJECTION OF DEPENDENT CLAIMS 20, 22, AND 24 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER HASEBE IN VIEW OF LANG**

The Examiner rejects independent claim 18 (and claims, 19, 21, 23 & 25 dependent thereon) under 35 U.S.C. 103(a) as being unpatentable over Hasebe in view of Shear, and dependent claims 20, 22, and 24 under 35 U.S.C. 103(a) as being unpatentable over Hasebe in view of Lang.

Independent claim 18 recites an information management apparatus "managing

information of a recording medium, the recording medium having medium-specific information, and comprising a user-use area allowing writing and reading out of any information in accordance with external instructions and a secure area that is not subject to control by external instructions, wherein license information based on use rights for any information stored in a user-use area is stored in a secure area, said information management apparatus comprising: write and read out means writing any information to and reading any information from said user-use area; and predetermined information deriving means encrypting predetermined information stored in said secure area using said medium-specific information or a key generated therefrom and deriving the same outside said secure area."

Hasebe teaches that a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system.

Lang teaches a method of granting access to information stored in a storage medium or media utilizing information that is physically stored in the medium. Access is granted to storage media or a portion thereof based upon an access/information management control device such as an index table included directly on the storage media. Shear teaches a storage medium carrying key block decryption keys in a portion of the storage medium not normally accessible through typical access and/or copying

Hasebe in view of Lang teaches a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system and granting access to information stored in a storage medium or media utilizing information physically stored in the medium.

Hasebe in view of Shear teaches that a key is used for decrypting contents that are encrypted using an individual key generated from a medium-specific information and is stored in a recording medium as license information inside a system and storage medium carrying key block decryption keys in a portion of the access and/or copying.

Applicants submit that none of the cited art alone or in combination teach "predetermined information deriving means encrypting predetermined information stored in said secure area using said medium-specific information or a key generated therefrom and deriving the same outside said secure area."

Further, dependent claims recite features not taught by the cited art alone or in combination. For example, dependent claim 22 recites "decrypting encrypted license information stored in said user-use area using information specific to said apparatus or a key generated therefrom and said storage medium not normally accessible through typical medium-

specific information or a key generated therefrom and updating license information stored in said secure area." Applicants submit that none of the cited art alone or in combination teach "decrypting encrypted license information stored in said user-use area using information specific to said apparatus."

Dependent claim 25 recites "predetermined information deriving means encrypts said license information using said medium-specific information or a key generated therefrom and information specific to an apparatus that drives said second recording medium or a key generated therefrom. Applicants submit that none of the cited art alone or in combination teach "predetermined information deriving means using said medium-specific information."

### **Conclusion**

Since features recited by independent claim 18 (and dependent claims 19, 21, 23 and 25) are not taught by the cited art alone or in combination and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 18, 19, 21, 23, and 25 allowed.

### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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